

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**ERIE COUNTY ENVIRONMENTAL  
COALITION, et. al.,  
Plaintiffs**

**v.**

**MILLCREEK TOWNSHIP SEWER  
AUTHORITY AND MILLCREEK  
TOWNSHIP,  
Defendants**

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**CIVIL ACTION NO. 05-59 ERIE  
ELECTRONICALLY FILED**

**PLAINTIFFS' RESPONSE TO DEFENDANTS' SUPPLEMENT TO CONCISE  
STATEMENT OF MATERIAL FACTS**

The Plaintiffs, Erie County Environmental Coalition, PennEnvironment, and the Gaia Defense League (hereinafter collectively known as "Plaintiffs"), by and through their attorneys, submit the following as their Response to Defendants' Supplement to Concise Statement of Material Facts:

209A. Plaintiffs lack sufficient knowledge to admit or deny.

214a. Plaintiffs lack sufficient knowledge to admit or deny.

214b. Plaintiffs lack sufficient knowledge to admit or deny.

245a. Plaintiffs lack sufficient knowledge to admit or deny.

245b. Plaintiffs lack sufficient knowledge to admit or deny.

245c. Plaintiffs lack sufficient knowledge to admit or deny.

245d. Plaintiffs lack sufficient knowledge to admit or deny.

245e. Plaintiffs lack sufficient knowledge to admit or deny.

246a. Plaintiffs lack sufficient knowledge to admit or deny.

- 246b. Plaintiffs lack sufficient knowledge to admit or deny.
- 317a. Plaintiffs lack sufficient knowledge to admit or deny.
- 317b. Plaintiffs lack sufficient knowledge to admit or deny.
- 317c. Admitted as far as the affidavit of Mr. George Riedesel asserts that the photograph, attached as Exhibit 1, was taken on January 30, 2007 and shows the progress of the construction of each of the tanks.
- 317d. Admitted as far as the affidavit of Mr. George Riedesel asserts that the photograph, attached as Exhibit 2, was taken on January 30, 2007 and shows the SCADA controller panel.
- 317e. Admitted as far as the affidavit of Mr. George Riedesel asserts that the photograph, attached as Exhibit 2, was taken on January 30, 2007 and shows the SCADA controller panel.
- 317f. Admitted as far as the affidavit of Mr. George Riedesel asserts that the photograph, attached as Exhibit 2, was taken on January 30, 2007 and shows the new electrical panels.
- 317g. Plaintiffs lack sufficient knowledge to admit or deny.

Respectfully submitted,

s//Jennifer A. Murphy  
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Dated: April 4, 2007

**CERTIFICATE OF SERVICE**

I hereby certify that I filed the foregoing document by electronic means utilizing the Court's CM/ECF system that will serve notice of electronic filing to Mark J. Shaw, Esq., McDonald, Illig, Jones & Britton, LLP, Attorney for Defendants on this 4<sup>th</sup> day of April, 2007.

/s/ Jennifer A. Murphy  
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